

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DALAS BLAKLEY,

Defendant.

2:18-CR-045-JCM-DJA

Preliminary Order of Forfeiture

This Court finds Dalas Blakley pled guilty to Count One of a Five-Count Superseding Criminal Indictment charging him in Count One with receipt or distribution of child pornography in violation of 18 U.S.C. § 2252A(a)(2). Superseding Criminal Indictment, ECF No. 43; Change of Plea, ECF No. 62; Plea Agreement, ECF No. 65.

This Court finds Dalas Blakley agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Criminal Indictment. Superseding Criminal Indictment, ECF No. 43; Change of Plea, ECF No. 62; Plea Agreement, ECF No. 65.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Superseding Criminal Indictment and the offense to which Dalas Blakley pled guilty.

The following property is (1) any visual depiction described in 18 U.S.C. § 2252A, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation

1 of 18 U.S.C. § 2252A(a)(2); and (2) any property, real or personal, used or intended to be
2 used to commit or to promote the commission of 18 U.S.C. § 2252A(a)(2), or any property
3 traceable to such property and is subject to forfeiture pursuant to 18 U.S.C. § 2253(a)(1) and
4 2253(a)(3):

- 5 1. an HTC One max cell phone, model no. HTC6600LVW, serial no.
6 FA3BESC03138, including its drive; and
- 7 2. a Samsung Galaxy cell phone bearing IMEI: 356213102667481

8 (all of which constitutes property).

9 This Court finds that on the government's motion, the Court may at any time enter
10 an order of forfeiture or amend an existing order of forfeiture to include subsequently
11 located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and
12 32.2(b)(2)(C).

13 This Court finds the United States of America is now entitled to, and should, reduce
14 the aforementioned property to the possession of the United States of America.

15 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
16 DECREED that the United States of America should seize the aforementioned property.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
18 rights, ownership rights, and all rights, titles, and interests of Dalas Blakley in the
19 aforementioned property are forfeited and are vested in the United States of America and
20 shall be safely held by the United States of America until further order of the Court.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
22 of America shall publish for at least thirty (30) consecutive days on the official internet
23 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
24 describe the forfeited property, state the time under the applicable statute when a petition
25 contesting the forfeiture must be filed, and state the name and contact information for the
26 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
27 and 21 U.S.C. § 853(n)(2). In the alternative, if the value of the property is less than \$1,000,
28 the government may instead serve every person reasonably identified as a potential claimant

1 in lieu of publication pursuant to Fed. R. Crim. P. 32.2(b)(6)(C) with Fed. R. Civ. P. Supp.
2 Rule G(4)(a)(i)(A).

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
4 or entity who claims an interest in the aforementioned property must file a petition for a
5 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
6 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §
7 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's
8 right, title, or interest in the forfeited property and any additional facts supporting the
9 petitioner's petition and the relief sought.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
11 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,
12 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was
13 not sent, no later than sixty (60) days after the first day of the publication on the official
14 internet government forfeiture site, www.forfeiture.gov.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
16 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
17 Attorney's Office at the following address at the time of filing:

18 Daniel D. Hollingsworth
19 Assistant United States Attorney
20 James A. Blum
21 Assistant United States Attorney
22 501 Las Vegas Boulevard South, Suite 1100
23 Las Vegas, Nevada 89101.

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
25 described herein need not be published in the event a Declaration of Forfeiture is issued by
26 the appropriate agency following publication of notice of seizure and intent to
27 administratively forfeit the above-described property.
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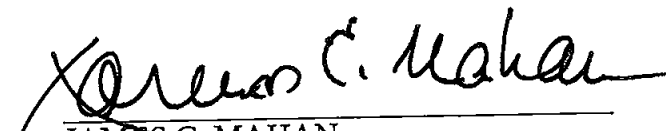
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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
2 copies of this Order to all counsel of record.

3 DATED Dec-17, 2021, 2021.

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6 JAMES C. MAHAN
7 UNITED STATES DISTRICT JUDGE
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